



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

DOD: 9-21-06	STANLEY KATAOKA, Executor with Full IAEA without bond, is Petitioner.	
	Accounting is waived	
	I&A: \$643,321.00 POH: \$643,321.00 (no cash, various real property interests)	
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
✓	PTC	
✓	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	w
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✓	Letters	4- 4- 12
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	FTB Notice	
Executor (Statutory): Waived		
Attorney (Statutory): \$11,000.00 (Less than statutory, to be paid outside of probate)		
Costs: \$2,332.84 (Probate Referee, certified Letters, filing, publication)		
Decedent's will devises the estate to a testamentary trust for the benefit of his wife, which is distributable to their four children upon her death. Because Decedent's wife has now passed away (post-deceased) Petitioner requests distribution to the four children outright and free of trust.		
Distribution pursuant to Decedent's will and consent of heirs:		
Myra Stackpole, Nora Juncal, Mel Kataoka and Stanley Kataoka: A ¼ undivided interest each in various the real property interests of the estate		
NEEDS/PROBLEMS/COMMENTS:		
1. Attorney G. Dana French of Wild, Carter & Tipton has agreed to \$11,000.00, which is less than the statutory amount (\$15,866.42).		
However, Examiner notes that the former Executor (who passed away in December 2011) was previously represented in this estate by Attorney James M. Kaprielian.		
Probate Code §10814 states if there are two or more attorneys, compensation shall be apportioned among the attorneys by the court according to the services actually rendered by each attorney or as agreed to by the attorneys.		
The Court may require clarification regarding the attorney's fees requested with reference to Attorney Kaprielian and Probate Code §10814.		
Reviewed by: skc		
Reviewed on: 8-31-12		
Updates:		
Recommendation:		
File 1 - Kataoka		

Petition for Instruction and Authorization to Abandon Real Property and Terminate Life Estate (Prob. C. 2403)

Age: 71		PUBLIC GUARDIAN , Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOB: 12-27-40			
		Petitioner states the Conservatee has a life estate interest in a residence that was originally granted to him and his brother by their mother for their joint lives and the life of the survivor. The deed conveyed remainder interests to the California Home for the Aged, Inc., and to the First Armenian Presbyterian Church.	<p>1. Although this is not a traditional sale, Petitioner seeks to abandon the Conservatee's former residence.</p> <p>As such, the Court may require verified information with reference to Probate Code §2450(b):</p> <p>Has the matter been discussed with the Conservatee? Does the Conservatee support or oppose this transaction?</p> <p>2. The Court may also require notice to the remainder beneficiaries and/or their counsel.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	The Conservatee's mother died in 2005 and his brother died in 2006, leaving Conservatee as the sole remaining life estate interest holder in the property. He has lived there most of his life, but was removed in June 2011 due to significant health problems and presently remains in a skilled nursing facility in Chowchilla.	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Public Guardian does not believe the Conservatee's physical and mental health will ever improve to the extent that he can safely return to his residence. His funds are very limited (SSI benefits only) and as long as he resides in a facility or care home, all income must go toward placement costs and personal needs.	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	The Conservatee lacks sufficient funds to maintain this sizeable older residence. The home has not been insured since 2009 and property taxes have not been paid since 2009-2010 tax year. The roof has deteriorated to the extent that the air conditioning repair person refused to walk on it.	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Representatives of the remainder beneficiaries verbally affirmed that they would provide financial assistance to protect their interest in the property. At conservatorship hearing in 2009, Edward Fannuchi, counsel for remainder beneficiaries, appeared and represented that his clients would assist with expenses such as insurance and upkeep. However, no financial assistance has been forthcoming.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Although valued at \$95,000.00 per the I&A filed 11-15-10, it is not feasible to sell the life interest in the property, nor is it practical to rent out the property, as there are no funds to make it habitable for renters.	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Petitioner seeks authorization to abandon the real property so that Conservatee no longer has the burden of caring for and maintaining it, as well as terminating his life interest.	
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: skc

Reviewed on: 8-31-12

Updates:

Recommendation:

File 2 - Setrakian